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INTELLECTUAL PROPERTY LAW

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FACSIMILE TRANSMITTAL SHEET

To:
Office of Initial Patent Examination -
Missing Parts

FROM:
Byron S. Kuzara

COMPANY:
USPTO

DATE:
July 26, 2004

FAX NUMBER:
703-746-4060

TOTAL NO. OF PAGES:
9

RE:
App. No. 10/791,289

OUR REFERENCE NO.:
005127.00260

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Lesa Wolman

PHONE: 503-425-6800

COMMENTS:



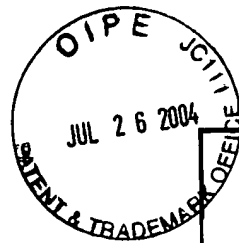
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PTO/SB/97 (05-03)
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Date



Signature
Byron S. Kuzara, #51,255
Typed or printed name of person signing Certificate

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certificate must identify each submitted paper.

Fee Sheet (1 page)
Submission of Missing Parts of Nonprovisional Application (2 pages)
Declaration (2 pages)
Copy of Notice to File Missing Parts of Nonprovisional Application (2 pages)

Serial No. 10/791,289
Attorney Docket No. 005127.00260

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 2090

Complete If Known	
Application Number	10/791,289
Filing Date	3/3/04
First Named Inventor	Bhupesh Dua, et al.
Examiner Name	TBD
Art Unit	3728
Attorney Docket No.	005127.00260

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account:

Deposit Account Number: **19-0733**

Deposit Account Name: **Banner & Witcoff, LTD.**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	770	Utility filing fee	770
		1002	340	Design filing fee	
		1003	530	Plant filing fee	
		1004	770	Reissue filing fee	
		1005	160	Provisional filing fee	
SUBTOTAL (1)					(\$ 770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: **87** -20 ** = **47** X **18** = **846**

Independent Claims: **7** -3 ** = **4** X **86** = **344**

Multiple Dependent: **0** X **290** = **0**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1202	18	Claims in excess of 20	
		1201	85	Independent claims in excess of 3	
		1203	290	Multiple dependent claim, if not paid	
		1204	85	** Reissue independent claims over original patent	
		1205	18	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 1190)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1051	130	Surcharge - late filing fee or oath	130
		1052	50	Surcharge - late provisional filing fee or cover sheet	
		1053	130	Non-English specification	
		1812	2,520	For filing a request for reexamination	
		1804	920*	Requesting publication of SIR prior to Examiner action	
		1805	1,840*	Requesting publication of SIR after Examiner action	
		1251	110	Extension for reply within first month	
		1252	420	Extension for reply within second month	
		1253	850	Extension for reply within third month	
		1254	1,480	Extension for reply within fourth month	
		1255	2,010	Extension for reply within fifth month	
		1401	330	Notice of Appeal	
		1402	330	Filing a brief in support of an appeal	
		1403	280	Request for oral hearing	
		1451	1,510	Petition to institute a public use proceeding	
		1452	110	Petition to revive - unavoidable	
		1453	1,330	Petition to revive - unintentional	
		1501	1,330	Utility issue fee (or reissue)	
		1502	480	Design issue fee	
		1503	640	Plant issue fee	
		1480	130	Petitions to the Commissioner	
		1807	50	Processing fee under 37 CFR 1.17 (a)	
		1806	180	Submission of Information Disclosure Stmt	
		8021	40	Recording each patent assignment per property (times number of properties)	
		1809	770	Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810	770	For each additional invention to be examined (37 CFR § 1.129(b))	
		1801	770	Request for Continued Examination (RCE)	
		1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ 130)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Byron S. Kuzara	Registration No. (Attorney/Agent)	51,255
Signature	<i>Byron S. Kuzara</i>	Telephone	503-425-6800
		Date	7/26/04

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22315-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22315-1450.

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Certificate Of Transmission

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (703) 746-4060 on July 26, 2004.

Respectfully submitted,

By: Byron S. Kuzara
Byron S. Kuzara
Registration Number 51,255
Banner & Witcoff, Ltd.

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Of:)	Att.: Box Missing Parts
)	
Bhupesh DUA, et al.)	Group Art Unit: 3728
)	
Serial No. 10/791,289)	Examiner: TBD
)	
Filed: March 3, 2004)	Docket No. 005127.00260
)	
For: AN ARTICLE OF FOOTWEAR HAVING)	
A TEXTILE UPPER)	

SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Commissioner for Patents
Alexandria, VA 22313

Sir:

Pursuant to the Notice to File Missing Parts of Application dated May 25, 2004, Applicants hereby submit their executed Declaration in the above Application. The Commissioner is hereby authorized to charge deposit account 19-0733 for a total of \$2,090.00, which includes the basic filing fee of \$770.00, \$846.00 for 47 claims over 20, \$344.00 for 4 independent claims over 3, and the \$130.00 surcharge as set forth in 37 C.F.R. §1.16(e). Should any additional fees be necessary, the Commissioner is authorized to charge the cost of the additional fees to deposit account 19-0733.

The submission of these missing parts is timely filed by virtue of their filing by facsimile on July 26, 2004. However, should any additional extension or fee be required for the filing of these papers, such extension is requested and the Commissioner is hereby authorized to charge said fee to our Deposit Account No. 19-0733.

Respectfully submitted,

By:


Byron S. Kuzara, Registration No. 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: 503-425-6800

Dated: July 26, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/791,289	03/03/2004	Bhupesh Dua	005127.00260

22909
BANNER & WITCOFF, LTD.
1001 G STREET, N.W.
WASHINGTON, DC 20001-4597

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MAY 27 2004

BANNER & WITCOFF

CONFIRMATION NO. 8919

FORMALITIES LETTER

0000000012763724

Date Mailed: 05/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1190** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$2090 for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

07/27/2004 IRAI INAN 0000093 190733 10791289

01 EC:1001 770.00 DA

02 FC:1201 344.00 DA


03 FC:1202 846.00 DA

04 FC:1051 130.00 DA

- Total additional claim fee(s) for this application is **\$1190**
 - **\$344** for 4 independent claims over 3.
 - **\$846** for 47 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
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P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


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